

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES #3723
TUESDAY, SEPTEMBER 20, 2011
7TH FLOOR LAND USE CONFERENCE AREA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Roger Quick, Michael Totilo, Claire Fishman, and Jay Tepper. Present for staff was Todd Dumais.

Mrs. Dell called the meeting to order at 7:30.

Subdivision #3999 – White Birch Capital Partners, LLC, for the subdivision of property into two (2) parcels. The property is located on the east side of Research Drive having an address of 54 Research Drive.

Mr. Dumais introduced the application as a two lot subdivision, which complied with the applicable M-G zoning standards. Mr. Lenny D'Andrea, Civil Engineer, representing the client, presented the application. He described the location of the piece of property and the applicant's intent to subdivide the property and the building located on it to sell to David's Catering. Mr. D'Andrea noted that the applicant has a number of non-conforming parking spaces on site and an offsite 100 year parking lease for additional spaces.

Mr. Quick asked if the parking along the street was legal. It was answered that it was nonconforming.

Mr. Tepper asked for clarification regarding the offsite parking lease agreement. Mr. D'Andrea answered that the agreement covered future tenants of the properties.

There being no further questions from the Board, Mrs. Dell asked staff for conditions of approval. Mr. Dumais distributed and discussed the following conditions to be included should the Board approve the application:

1. An Inland Wetland & Watercourses Permit from the Environmental Protection Board is required for any development or the installation of any structures within the flood hazard areas located on parcels F-1 and F-2 (Note to appear on the final map).
2. Prior to the filing of the final map, the existing structure located on Parcel F (a.k.a. 54 Research Drive) shall be modified by the construction of a separating wall as shown on the plans entitled *Preliminary Subdivision Map of Property on Research Drive, Stamford, Connecticut: Prepared for White Birch Capital Partners, LLC*, by Rocco V. D'Andrea, Inc, dated July 12, 2011.
3. In-ground fuel tanks shall be prohibited (note to appear on final map).
4. In accordance with CGS 8-26c, approval shall expire on September 20, 2016, unless all "work" as said term is defined in CGS 8-26c(b), has been completed by said date (note to appear on final map).
5. Subdivision reference number to be placed on final map.

Mr. Tepper moved approval of Subdivision #3999 subject to conditions. Mrs. Fishman seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Tepper).

Zoning Board of Appeals Referrals:

ZBA APPL. #045-11, Thomas J. Nero, requesting a variance of Section 6A and side yard setbacks to allow a proposed shed to be located in a front yard five feet from a side yard lot line at a property located at 271 Guinea Road.

Mr. Dumais briefly described the request. He noted that it appeared that one of the main reasons the applicant located the proposed shed in the front yard was a desire to not go before the EPB Board. Several members from the Planning Board expressed concern that this was not a valid reason and the applicant should make all attempts to locate the structure in a zoning compliant area prior to seeking a variance.

Mr. Tepper moved to recommend denial of the variance. Mr. Quick seconded the motion and it carried unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Tepper).

Approval of Meeting Minutes:

Mrs. Dell noted that the next item on the meeting Agenda was the approval of the Meeting Minutes of 8/30/11. Mr. Tepper moved approval of the meeting minutes. Mrs. Fishman seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Tepper).

Old Business:

Subdivision #3924, 22 & 26 Island Heights Drive, request a modification of condition 13 of the subdivision approval to grant a five year extension of time to complete all “work” as defined in C.G.S. §8-26c(b). The new date of completion would be October 6, 2016.

Mr. Dumais explained that this request was for an extension of time to complete all work for the subdivision. He noted that this was one of several requests that the Board has recently seen, largely due to the poor economy. After a short discussion, Mrs. Fishman moved approval of the modification request of Subdivision #3924. Mr. Quick seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Tepper).

There being no further business to discuss Mrs. Dell adjourned the meeting at 8:15 pm.

Respectfully Submitted,

Theresa Dell, Secretary
Stamford Planning Board